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INTEL CORPORATION LONG TERM DISABILITY PLAN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ALICIA MACKEY,

Plaintiff,

vs.

AETNA LIFE INSURANCE COMPANY; INTEL  
TOTAL COMPENSATION AND BENEFIT  
PACKAGE; INTEL CORPORATION LONG  
TERM DISABILITY PLAN,

Defendants.

Case No. CV 09-2288 CRB

**FURTHER STIPULATION TO SET  
SCHEDULE FOR CROSS-MOTIONS FOR  
SUMMARY JUDGMENT; ~~PROPOSED~~  
ORDER**

1 The parties to this action, through their respective attorneys of record, hereby stipulate and  
2 agree to the following:

3  
4 1. This is an action for long term disability benefits under an employee welfare benefit  
5 plan regulated by the Employee Retirement Income Security Act of 1974, 29 U.S.C. §§ 1001 *et seq.*  
6 (“ERISA”);

7 2. The Court has granted a prior request by the parties to extend the case deadlines (see  
8 Docket No. 33, “Amended Stipulation And Order Extending Case Deadlines,” December 31, 2009);

9 3. In the Court’s December 31, 2009 order, the Court set a hearing date for the parties’  
10 cross-motions for summary judgment of July 23, 2010, with motions to be filed by June 18, 2010;

11 4. The parties participated in an early neutral evaluation (“ENE”) pursuant to the Court’s  
12 ADR procedures on December 14, 2009;

13 5. While this matter was not resolved at the ENE session, the parties have conducted  
14 further settlement discussions since that session;

15 6. On June 16, 2010, pursuant to the parties’ further stipulation (See Docket No. 35  
16 “Stipulation to Vacate Existing Case Deadlines and Order Vacating Case Deadlines”), the Court  
17 vacated the schedule for briefing and hearing the parties’ cross-motions for summary judgment, and  
18 ordered the parties to file a stipulation by July 2, 2010 updating the Court as to the parties’ intentions  
19 regarding the progress of this action;

20 7. The parties continue to aggressively participate in settlement discussions and are  
21 pursuing various alternative dispute resolution options;

22 8. The parties have not yet resolved the procedural details of how these options would  
23 proceed, or under what conditions;

24 9. If the matter is not resolved pursuant to those discussions, the parties need sufficient  
25 time to resolve anticipated discovery disputes and prepare their respective Cross-Motions for  
26 Summary Judgment, opposition and reply briefs;

27 Therefore, the parties agree that, in order to accomplish these goals, the Court should further continue  
28 the date set for hearing on the parties’ Cross-Motions for Summary Judgment, as well as all

1 associated deadlines, including the deadlines for the filing of the parties' opposition and reply briefs,  
2 and the date scheduled for the next Case Management Conference to be set by the Court, as follows:

3 Last day for parties to file and serve cross-motions for summary judgment:

4 January 14, 2011

5 Last day for parties to file and serve opposition briefs:

6 January 28, 2011

7 Last day for parties to file and serve reply briefs:

8 February 4, 2011

9 Hearing on parties' cross-motions for summary judgment:

10 February 18, 2011 at 10:00 a.m.

11 Case management conference:

12 \_\_\_\_\_ February \_\_\_\_\_ 18 \_\_, 2011, at \_\_\_\_\_ 10:00 a.m. \_\_\_\_\_  
13

14 Good cause exists for this scheduling of the hearing on the parties' cross motions for  
15 summary judgment, and all related deadlines, as set forth above.

16 IT IS SO STIPULATED:  
17

18 Dated: July 2, 2010

MILLER LAW GROUP  
A Professional Corporation

19  
20 By: /S/ Katherine L. Kettler  
21 Katherine L. Kettler  
22 Attorneys for Defendant INTEL  
23 CORPORATION LONG TERM  
DISABILITY PLAN

24 Dated: July 2, 2010

KANTOR & KANTOR

25  
26 By: /S/ Peter S. Sessions  
27 Peter S. Sessions  
28 Attorneys for Plaintiff ALICIA MACKEY

**~~PROPOSED~~ ORDER**

Pursuant to the parties' stipulation, and good cause shown, the scheduling of the hearing on the parties' cross-motions for summary judgment is set as follows:

Last day for parties to file and serve cross-motions for summary judgment:

January 14, 2011

Last day for parties to file and serve opposition briefs:

January 28, 2011

Last day for parties to file and serve reply briefs:

February 4, 2011

Hearing on parties' cross-motions for summary judgment:

February 18, 2011 at 10:00 a.m.

Case management conference:

\_\_\_\_\_, 2011, at \_\_\_\_\_

It is so ordered.

Dated: \_\_\_\_\_ July 8, 2010

